

SUMMIT COUNTY BOARD OF COUNTY COMMISSIONERS

Tuesday, May 3, 2016, 11:00 a.m. Special Meeting

SUMMARY MINUTES

I. CALL TO ORDER

The Special Meeting of the Board of County Commissioners on Tuesday, May 3, 2016 was called to order by Chair, Thomas C. Davidson, at 11:04 a.m. in the County Commissioners' Meeting Room, Summit County Courthouse, 208 Lincoln Avenue, Breckenridge, Colorado.

II. ROLL CALL

Board Members present and answered to the roll call were:

Thomas C. Davidson, Chair

Dan Gibbs, Commissioner

Karn Stiegelmeier, Commissioner

Staff present were as follows: Gary Martinez, County Manager; Jeff Huntley, County Attorney; Keely Ambrose, Assistant County Attorney; Thad Noll, Assistant County Manager; Scott Vargo, Assistant County Manager; Alan Hanson, Senior Planner; Jim Curnutte, Community Development Director; Don Reimer, Planning Director; Brian Lorch, Open Space & Trails Director; Jason Lederer, Open Space & Trails Resource Specialist; Tom Gosiorowski, Road & Bridge Director; Julie Sutor, Public Affairs Coordinator; Eva Henson, Administrative Manager and Suzanne Pugsley, Deputy Clerk.

Additional Attendees: Kevin Fixler, Peter Podore, Steve Gerard, Jack O'Neil, Joe Harris, Laurel Harris, Bill Statz, Dennis Baniewicz, Cathy Covell, Rita Miller and Paul Schott, Dan Corwin, Scott Reid, Mark Heminghous, Turk Montepare, John Taylor, Ashley Nettles and numerous citizens from the community (72 signatures on the sign-in sheet).

III. APPROVAL OF AGENDA

The Agenda was approved, as presented.

IV. CITIZEN COMMENT

V. PUBLIC HEARING

- A.** Appeal of the Upper Blue Planning Commissions approval of a Conditional Use Permit for temporary milling/gravel crushing on a 136 acre parcel zoned A-1 in support of the Swan River Restoration Project; Williams Placer (MS#1118), Sections 14 and 24 of T6S, R77W (PLN16-017) Upper Blue Basin (Planning).

Alan Hanson gave a brief overview of the appeal and noted that on March 24, 2016 the Upper Blue Planning Commission approved a Conditional Use Permit (CUP) to allow the Summit County Open Space & Trails (OS&T) Department to conduct temporary milling/gravel crushing

of dredge tailings in support of the Swan River Restoration Project. He stated that Peter Podore and Joe Harris subsequently filed for appeal of the CUP and that the BOCC is charged under the Code with the responsibility of considering the appeal and making a decision on the merits in a de novo hearing.

Brian Lorch gave extensive background information including the history of the Swan River Restoration project. He stated that Summit County and the Town of Breckenridge have submitted a CUP application as part of the restoration of a significant section of the Swan River that was dredged during the late 1800's and early 1900's. He noted that the first stage of the restoration includes processing and removal of the remaining dredge tailings and that OS&T desires to crush the dredge tailings onsite in order to create materials required for the restoration work as well as for beneficial offsite reuse within the county.

Mr. Lorch and Mr. Hanson also addressed the many concerns and pointed out misconceptions surrounding the CUP.

Staff recommended denial of the appeal, upholding the decision of the Upper Blue Planning Commission and approval of the Conditional Use Permit including proposed resolution 2016-22 and the 4 findings and 6 conditions.

A brief recess was taken at 12:13 p.m.

The meeting resumed at 12:20 p.m.

Peter Podore, appellant, spoke in opposition of the CUP and presented several questions and concerns that he wanted addressed.

Steve Gerard, citizen, also spoke strongly in opposition and made points to deny the CUP.

The Commissioners requested clarification and further information from the appellant.

Mr. Podore gave detailed responses.

Commissioner Davidson opened the hearing for public comment.

Five citizens spoke in approval of the CUP: Scott Reid, Director of Recreation at Town of Breckenridge; Mark Heminghaus, Trout Unlimited; Turk Montepare, Open Space Advisory Committee Board Member; John Taylor, Open Space Advisory Committee Board Member and Ashley Nettles, U.S. Forest Service.

Eight citizens spoke in opposition of the CUP: Jack O'Neil, Joe Harris, Laurel Harris, Bill Statz, Dennis Baniewicz, Cathy Covell, Rita Miller and Paul Schott.

One citizen, Dan Corwin, requested further clarification and did not speak for or against the CUP.

Commissioner Davidson closed the hearing for public comment.

The Commissioners discussed the many questions and concerns that were raised by the public and requested further information from staff.

Jason Lederer, Tom Gosiorowski and Thad Noll gave detailed responses and made rebuttals.

The Commissioners also discussed the proposed conditions of approval with staff and requested that 3 additional conditions be added to the proposed resolution.

A recess was taken at 3:17 p.m. for staff to draft 3 additional conditions.

The meeting resumed at 3:40 p.m.

MOTION: A motion was made by Commissioner Gibbs and seconded by Commissioner Stiegelmeier to approve Resolution 2016-22, approving a Conditional Use Permit for temporary milling/gravel crushing on a 136 acre parcel zoned A-1 in support of the Swan River Restoration Project; Williams Placer (MS#1118), Sections 14 and 24 of T6S, R77W (PLN16-017) Upper Blue Basin (Planning) including the 4 findings and 9 conditions in substantially the same form as presented at the hearing.

MOTION PASSED UNANIMOUSLY BY THE BOARD PRESENT

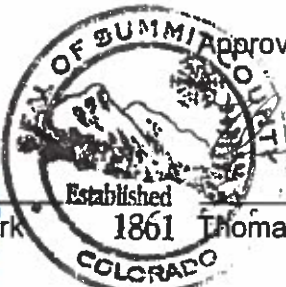
(This meeting lasted 4 hours and 46 minutes)

VI. ADJOURNMENT

The meeting was adjourned at 3:50 p.m.

Respectfully submitted,


Suzanne Pugsley, Deputy Clerk



Approved by:



Thomas C. Davidson, Chair

NOTE: These minutes are a summary of the proceedings and motions of the May 3, 2016 Board of County Commissioners' Special Meeting. The complete digital recording is available in the Office of the Clerk & Recorder, Summit County Courthouse, 2nd Floor, 208 Lincoln Avenue, Breckenridge, Colorado 80424.